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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,862	03/12/2004	Albert Rodriguez	M-15632 US	1724

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MACPHERSON KWOK CHEN & HEID LLP  
1762 TECHNOLOGY DRIVE, SUITE 226  
SAN JOSE, CA 95110

EXAMINER
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ARTHUR JEANGLAUD, GERTRUDE

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/799,862	<b>Applicant(s)</b> RODRIGUEZ, ALBERT	
	<b>Examiner</b> Gertrude Arthur-Jeanglaude	<b>Art Unit</b> 3661	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 April 2006.  
2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-3,5-19 and 21-23 is/are rejected.  
7) ☒ Claim(s) 4, 20 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Amendment***

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-11, 13-15, 17-19, 21, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hampton (U.S. Patent No. 6,819,256) in view of Luper (U.S. Patent No. 6,011,461).

As to claims 1, 15, 18, Hampton discloses a portable device (200) Fig.2 comprising: a keypad (215) being pressable by a user; a microcontroller (209, 225) Fig. 2 coupled to the keypad; and a display (213) coupled to the microcontroller. Hampton fails to specifically disclose a Global Positioning System (GPS) sensor coupled to the microcontroller; wherein the microcontroller is operable to (a) direct the GPS sensor to request and receive first location coordinates of a first location of the user when the user presses the keypad, (b) store the first location coordinates, (c) direct the GPS sensor to request and receive second location coordinates at a second location when the user presses the keypad, . (d) compare the first and second location coordinates and cause the display to indicate information directing the user from the second location to the first location. In a related art, Luper discloses a portable system wherein it uses a GPS and coupled to a microcontroller and receives first and second location and compares the

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first and second location (See col. 2, lines 28-41; abstract; col. 5, lines 54-67-col. 6, lines 1-15). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Hampton with that of Luper by having a GPS sensor coupled to the microcontroller in order to perform positional information.

As to claim 3, Hampton discloses all wherein the keypad discloses comprises first and second buttons, the first button but fails to specifically disclose the buttons causing the microcontroller to direct the GPS sensor to request and receive location coordinates of the stationary vehicle location and store the stationary vehicle location coordinates; the second button causing the microcontroller to direct the GPS sensor to request and receive second location coordinates at the second location and compare the stationary vehicle and second location coordinates and cause the display to indicate information directing the user from the second location to the stationary vehicle location. In a related art, Boesch et al. discloses a GPS as discussed and memory for storing information such as stationary vehicle location coordinates (See col. 11, lines 26-58). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Hampton with of Boesch et al. by having a GPS sensor coupled to the microcontroller to request and receive location coordinates and store the stationary vehicle location coordinates in order to expedite position determination.

As to claims 6-7, 13, 14, 19, 21, 23, Hampton discloses a display (213) as shown in Fig. 2 wherein one would have a liquid crystal display or light emitting diodes to indicate at least power activated state, a location search activated state; and also

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discloses an audio generator (217) as shown in Fig. 2 to emit sounds to the user indicating a distance to the stationary vehicle location.

As to claims 8-10, Hampton discloses all but fails to specifically disclose a digital compass coupled to the microcontroller to determine a direction and distance of the vehicle location coordinates to the second location. In a related art, Luper discloses a GPS and distance and direction (See col. 2, lines 28-41; col. 5, lines 54-67) wherein one of ordinary skill in the art at the time of the invention would use a digital compass to determine position and direction/distance.

As to claim 11, Hampton discloses a user device as shown in Fig.2 wherein it is obvious to use a power button for on/off control of the device.

As to claim 17, Hampton discloses all but fails to specifically disclose the Global Positioning System comprises a satellite. In an analogous art, Luper discloses a satellite (See Fig.1) for determining position.

Claims 2-3, 5, 12, 16, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hampton (U.S. Patent No. 6,819,256) in view of Luper (U.S. Patent No. 6,011,461) and Boesch et al. (U.S. Patent No. 6,438,382).

As to claim 2, Hampton discloses all but fails to specifically disclose the first location is a location of a stationary vehicle. In a related art, Boesch et al. disclose the portable device in a state wherein the state could be stationary (See col. 9, lines 30-55). It would have been obvious to one of ordinary skill in the art at the time of the invention

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to modify the system of Hampton with that of Boesch et al. by having a location of a stationary vehicle in order to better locate the device.

As to claim 3, Hampton discloses all wherein the keypad discloses comprises first and second buttons, the first button but fails to specifically disclose the buttons causing the microcontroller to direct the GPS sensor to request and receive location coordinates of the stationary vehicle location and store the stationary vehicle location coordinates; the second button causing the microcontroller to direct the GPS sensor to request and receive second location coordinates at the second location and compare the stationary vehicle and second location coordinates and cause the display to indicate information directing the user from the second location to the stationary vehicle location. In a related art, Boesch et al. discloses a GPS as discussed and memory for storing information such as stationary vehicle location coordinates (See col. 11, lines 26-58). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Hampton with of Boesch et al. by having a GPS sensor coupled to the microcontroller to request and receive location coordinates and store the stationary vehicle location coordinates in order to expedite position determination

As to claims 12, 22 Hampton discloses all but fail to specifically disclose the microcontroller uses encrypted, firm-coded language to perform each function. In a related art, Boesch et al. disclose code phase and encoding (See col. 5, lines 25-61) wherein one of ordinary skill in the art at the time of the invention would use encrypted, firm-coded language to perform each function in order to exploit opportunities for using position assistance.

As to claims 5, 16, Hampton discloses all but fails to specifically disclose that the device is implemented as a key chain. In a related art, Boesch et al. disclose the portable device may be any sort of devices (See col. 12, lines 22-36). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Hampton with of Boesch et al. by having a different of devices in order to determine position.

#### ***Allowable Subject Matter***

Claims 4, 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art fails to disclose the device is implemented in a housing having a width of 1(1/2)", a length of 2" and a height of 1/2".

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ

*GAJ*

June 26, 2006

*Gertrude A. Jeanglaude*  
GERTRUDE A. JEANGLAUDE  
PRIMARY EXAMINER